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IN THE UNITED STATES DISTRICT COURT FOR THE
 NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION

AF HOLDINGS LLC,

Plaintiff,

v.

JOHN DOE,

Defendant.

Case No. 3:12-cv-02392-JSW

**~~PROPOSED~~ ORDER GRANTING
 PLAINTIFF'S EX PARTE
 APPLICATION FOR LEAVE TO TAKE
 EXPEDITED DISCOVERY**

**ORDER GRANTING PLAINTIFF'S *EX PARTE* APPLICATION FOR LEAVE TO
 TAKE EXPEDITED DISCOVERY**

The Court has reviewed the Complaint with attached Exhibits, Plaintiff's *Ex Parte* Application for Leave to Take Expedited Discovery and all the papers filed in connection with the motion, and relevant case law. Accordingly, it is hereby

ORDERED that Plaintiff's *Ex Parte* Application for Leave to Take Discovery is GRANTED;
 it is further

ORDERED that Plaintiff may immediately serve Rule 45 subpoena(s) to identify John Doe associated with Internet Protocol ("IP") address 71.198.110.43, which are limited to the following categories of entities and information:

From Internet Service Provider (ISP) identified in Plaintiff's *Ex Parte* Application for Leave to Take Expedited Discovery and any other entity identified as a provider of Internet services

1 to John Doe in response to a subpoena or as a result of ongoing BitTorrent activity
 2 monitoring: information sufficient to identify John Doe associated with IP address
 3 71.198.110.43, including name, current (and permanent) address, telephone number, e-mail
 4 address, and Media Access Control address; it is further

5 ORDERED any information disclosed to the Plaintiff in response to a Rule 45 subpoena may
 6 be used by the Plaintiff solely for the purpose of protecting Plaintiff's rights as set forth in its
 7 Complaint; it is further

8 ORDERED that Plaintiff and any entity which receives a subpoena shall confer, if necessary,
 9 with respect to the issue of payment for the information requested in the subpoena or for resolution
 10 of IP addresses which are not controlled by such entity, duplicate IP addresses that resolve to the
 11 same individual, other IP addresses that do not provide the name and other information requested of
 12 a unique individual, or for the entity's internal costs to notify its customers; it is further

13 ORDERED that any entity which receives a subpoena and elects to charge for the costs of
 14 production shall provide a billing summary and any cost reports that serve as a basis for such
 15 billing summary and any costs claimed by such entity; it is further

16 ORDERED that Plaintiff shall serve a copy of this Order along with any subpoenas issued
 17 pursuant to this Order; it is further

18 ORDERED that if any entity subpoenaed pursuant to this Order wishes to move to quash the
 19 subpoena, it must do so before the return date of the subpoena, which shall be 30 days from the date
 20 of service;

21 Finally, it is ORDERED that the subpoenaed entity shall preserve any subpoenaed
 22 information pending the resolution of any timely-filed motion to quash;

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 26 DATED: June 5, 2012


 United States District Judge